

U.S. Customs and Border Protection, DHS; Treasury

§ 103.1

103.13 Segregability of records.

Subpart B—Production or Disclosure in Federal, State, Local, and Foreign Proceedings

103.21 Purpose and definitions.

103.22 Procedure in the event of a demand for Customs information in any federal, state, or local civil proceeding or administrative action.

103.23 Factors in determining whether to disclose information pursuant to a demand.

103.24 Procedure in the event a decision concerning a demand is not made prior to the time a response to the demand is required.

103.25 Procedure in the event of an adverse ruling.

103.26 Procedure in the event of a demand for Customs information in a state or local criminal proceeding.

103.27 Procedure in the event of a demand for Customs information in a foreign proceeding.

Subpart C—Other Information Subject to Restricted Access

103.31 Information on vessel manifests and summary statistical reports.

103.31a Advance electronic information for air, truck, and rail cargo.

103.32 Information concerning fines, penalties, and forfeitures cases.

103.33 Release of information to foreign agencies.

103.34 Sanctions for improper actions by Customs officers or employees.

103.35 Confidential commercial information; exempt.

AUTHORITY: 5 U.S.C. 301, 552, 552a; 19 U.S.C. 66, 1624; 31 U.S.C. 9701.

Section 103.31 also issued under 19 U.S.C. 1431;

Section 103.31a also issued under 19 U.S.C. 2071 note and 6 U.S.C. 943;

Section 103.33 also issued under 19 U.S.C. 1628;

Section 103.34 also issued under 18 U.S.C. 1905.

Section 103.35 also issued under E.O. 12600 of June 23, 1987.

SOURCE: T.D. 81-168, 46 FR 32565, June 24, 1981, unless otherwise noted.

§ 103.0 Scope.

This part governs the production/disclosure of agency-maintained documents/information requested pursuant to various disclosure laws and/or legal processes. Thus, the extent of disclosure of requested information may be dependent on whether the request is

pursuant to the provisions of the Freedom of Information Act (FOIA), as amended (5 U.S.C. 552), the Privacy Act of 1974, as amended (5 U.S.C. 552a), and/or under other statutory or regulatory authorities, as required by administrative and/or legal processes. The regulations for this part contain a discussion of applicable fees for the search, duplication, review, and other tasks associated with processing information requests pursuant to the FOIA, and also provide for the appeal of agency decisions and sanctions for the improper withholding and/or the untimely release of requested information. As information obtained by Customs is derived from a myriad of sources, persons seeking information should consult with the appropriate field officer before invoking the formal procedures set forth in this part. These regulations supplement the regulations of the Department of the Treasury regarding public access to records, which are found at 31 CFR part 1, and, in the event of any inconsistency between these regulations and those of the Department of the Treasury, the latter shall prevail. For purposes of this part, the Office of the Chief Counsel is considered a part of the United States Customs Service.

[T.D. 96-36, 61 FR 19838, May 3, 1996, as amended by T.D. 99-27, 64 FR 13675, Mar. 22, 1999]

Subpart A—Production of Documents/Disclosure of Information Under the FOIA

§ 103.1 Public reading rooms.

Each office listed below will maintain a public reading room or public reading area where the material required to be made available under 5 U.S.C. 552(a)(2) and this part may be inspected and copied:

United States Customs Service (Headquarters), 1300 Pennsylvania Avenue, NW., Washington, DC 20229
Boston, 10 Causeway Street, Boston, Massachusetts 02222
New York, One Penn Plaza, 10th Floor, New York, NY 10119
Chicago, Room 1501, 55 East Monroe Street, Chicago, Illinois 60603
Miami, 99 S.E. 5th Street, Miami, Florida 33131